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U.S. DISTRICT COURT
WEST DIST. OF WISCONSININ THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MAY 21 2009

UNITED STATES OF AMERICA

v.

JASON M. PAPE,

Defendants.

Case No. 08-CR-0174

FINAL ORDER OF FORFEITURE

Based upon the motion of the United States, the entire file in this case, and good cause appearing, the Court finds that:

1. On November 12, 2008, a federal grand jury sitting in Madison, Wisconsin, returned an indictment against defendant Jason M. Pape. Count 1 charged possession of three computer hard drives and a thumb drive, containing visual depictions that were produced using materials, specifically said hard drives and thumb drive, which had previously been shipped in interstate and foreign commerce, and the production of such visual depictions involved the use of minors engaging in sexually explicit conduct, and the depictions are of such conduct, in violation of Title 18, United States Code, Section 2252(a)(4)(B). Count 2 of the indictment contained a forfeiture allegation for the forfeiture of a Dell Computer, serial #00144-331-686-995, Western Digital 80 GB hard drive, model WD800JD-75MSA3, serial # WMAM9WK68584; a HP computer, model Pavilion 746c, serial # MXM3280WPM, Seagate 80 GB hard drive, model ST380012A, serial # 5JV0MLAT; an Acer laptop computer, model ZL5, serial

LXA5505318528137E7EM00, Hitachi 60 GB hard drive model IC25N060ATMR04-0, serial # KJGMXHPH; and a Verbatim 8 GB thumb drive, model Sto N Go, serial #077917A20E09, by virtue of the commission of the offense charged in Count 1, pursuant to Title 18, United States Code, Section 2253.

2. On March 6, 2009, the defendant entered a plea of guilty to Count 1 of the indictment pursuant to a written plea agreement. The plea agreement provided that the defendant agree to the forfeiture of a Dell Computer, serial #00144-331-686-995, Western Digital 80 GB hard drive, model WD800JD-75MSA3, serial # WMAM9WK68584; a HP computer, model Pavilion 746c, serial # MXM3280WPM, Seagate 80 GB hard drive, model ST380012A, serial # 5JV0MLAT; an Acer laptop computer, model ZL5, serial # LXA5505318528137E7EM00, Hitachi 60 GB hard drive model IC25N060ATMR04-0, serial # KJGMXHPH; and a Verbatim 8 GB thumb drive, model Sto N Go, serial #077917A20E09, as set forth in Count 2 of the indictment.

3. On March 10, 2009, the Court entered a Preliminary Order of Forfeiture.

4. Publication was posted for at least 30 consecutive days beginning on March 20, 2009, on the official government internet web site (www.forfeiture.gov), pursuant to Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Action.

5. No petition or claim for the property has been filed with the Clerk of Courts, and the time for presenting a claim or petition has expired.


IT IS THEREFORE ORDERED:

1. That all right, title, and interest is hereby conveyed to the United States of America in the following items:

- (a) Dell Computer, serial #00144-331-686-995, Western Digital 80 GB hard drive, model WD800JD-75MSA3, serial # WMAM9WK68584;
- (b) HP computer, model Pavilion 746c, serial # MXM3280WPM, Seagate 80 GB hard drive, model ST380012A, serial # 5JV0MLAT;
- (c) Acer laptop computer, model ZL5, serial # LXA5505318528137E7EM00, Hitachi 60 GB hard drive model IC25N060ATMR04-0, serial # KJGMXHPH; and
- (d) Verbatim 8 GB thumb drive, model Sto N Go, serial #077917A20E09.

2. The United States Marshal is directed to dispose of the above property in accordance with federal law.

ORDERED this 21st day of May 2009.


BARBARA B. CRABB
Chief United States District Judge